

REMARKS

Favorable reconsideration and withdrawal of the objection and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims Status

Claims 8 and 10 through 13 remain pending in the application. Claims 15 and 16 have been canceled. Claim 8 has been amended to even more succinctly define the invention and/or to improve its form. It is respectfully submitted that no new matter has been added. Claim 8 is the only independent claim pending in the application.

Claim Objection

Claim 15 is objected for the reasons succinctly set forth in the Official Action. Claim 15 has been canceled herein. Therefore, this objection is moot and further comment on the objection is not necessary.

Art Rejections

Claims 8 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuchi, et al. in view of U.S. Patent No. 5,300,987 (Aoyama, et al.).

Claims 11 through 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuchi, et al. in view of Fujii.

Claims 15 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuchi, et al. in view of Fujii and further in view of U.S. Patent No. 4,512,658 (Winkelman).

The rationale underlying each of the foregoing art rejections is succinctly set forth in the Official Action.

Response to Art Rejections

As above-noted, Claims 15 and 16 have been canceled. Accordingly, further comment on the rejection of these claims is not necessary. The rejections of the pending claims are respectfully traversed.

Amended independent Claim 8 calls for an image forming apparatus that includes a rotatable image bearing member on which an electrostatic image is to be formed; a first developer carrying member, which forms a first developing area in cooperation with the image bearing member, for carrying a developer; a first regulating member, disposed on an end of a longitudinal direction of the first developer carrying member, for regulating a gap between the image bearing member and the first developer carrying member with the first regulating member abutting against the image bearing member; a second developer carrying member, which forms a second developing area downstream of the first developing area in a movement direction of a surface of the image bearing member, for carrying a developer; and a second regulating member, disposed on an end of a longitudinal direction of the second developer carrying member on a side on which the first regulating member is disposed, for regulating a gap between the image bearing member and the second developer carrying member with the second regulating member abutting against the image bearing member. The second regulating member abuts against an area of the image bearing member different from an area against which the first regulating member abuts in a rotational axial direction of the surface of the image bearing member.

According to the invention of amended Claim 8, it is possible to effectively prevent an image bearing member from being locally, excessively abraded. If a first regulating member and a second regulating member both abut against an image bearing member and

overlap with each other in a width direction of the image bearing member. The overlapping abutment area is subject to excessive abrasion.

Amended Claim 8 recites the feature in that “said second regulating member abuts against an area of said image bearing member different from an area against which said first regulating member abuts in a rotation axial direction of a surface of said image bearing member.” Therefore, the invention of amended Claim 8 does not have an overlapping abutment area and solves the above-mentioned problem of excessive abrasion.

Fukuchi, et al. does not address the problem of an image bearing member is locally, excessively abraded by the first and second regulating members abutting against the image bearing member in an overlapping area. Accordingly, Fukuchi, et al. does not disclose or suggest a solution for solving the above-noted problem.

Fukuchi, et al. discloses a plurality of developing devices 31X, 31Y, and 31Z each of which is positioned by a guide member 39 supporting a bottom portion thereof. See Fig. 3. However, the guide members 39 of Fukuchi, et al. are not provided on an end in a longitudinal direction of the developer carrying members as the regulating members do in the claimed invention. In addition, the guide members 39 do not abut against a photoreceptor drum 30, i.e., an image bearing member as the regulating members do in the claimed invention. Accordingly, Fukuchi, et al. does not disclose or suggest the above-noted claimed features.

The Examiner recognizes that Fukuchi, et al. does not show the abutting of a regulating member against an image bearing member and relies on Aoyama, et al. for allegedly disclosing this feature.

As shown in Fig. 3, Aoyama, et al. discloses spacer rollers 19, 20 provided on a first developing sleeve 15 and a second developing sleeve 17, respectively. The developing sleeves 15, 17 and a photosensitive drum 3 are rotatively positioned by the spacer rollers 19, 20 abutting the photosensitive drum 3. However, the disclosure showing the abutment state of the spacer rollers 19, 20 of Aoyama, et al., is a sectional view as shown in Fig.3. it is respectfully submitted that Aoyama, et al. does not disclose or suggest an abutment position in a rotational axial direction of a surface of the photosensitive drum 3, i.e., an image bearing member, as recited in amended Claim 8. Accordingly, Aoyama, et al. does not disclose or suggest the above-noted claimed feature.

In view of the foregoing, it is respectfully submitted that Fukuchi, et al. and Aoyama, et al. do not disclose or suggest the invention as recited in amended Claim 8 whether taken individually or in combination.

Fujii and Winkelman are merely cited for allegedly disclosing features recited in certain dependent claims. However, it is respectfully submitted that Fujii and Winkelman do not remedy the above-noted deficiencies of Fukuchi, et al. and Aoyama, et al. *vis-à-vis* amended independent Claim 8.

It is also respectfully submitted that the combination rejections are not well founded. The Examiner has provided a *rationalization* for combining the teachings of the cited art based on the benefits of doing so. For example, the Examiner asserts that the motivation for combining the teachings of Fukuchi, et al. and Aoyama, et al. is to regulate a gap between a developing member and the image bearing member. A combination rejection is proper only when there is some suggestion or motivation in the cited art *per se* to cause one having ordinary skill in the art to combine the teachings of the cited art. There

is nothing in the cited art which supports the Examiner's position that it can be combined in the manner suggested for providing such a gap. Even if the art could be so combined, the mere fact that the art can be combined is not sufficient if there is no suggestions in the art that such a combination is desirable. For example, see ACS Hospital Systems, Inc. v. Montefiore Hospital, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984).

In view of the foregoing, it is respectfully submitted that independent Claim 8 is allowable over Fukuchi, et al., Aoyama, et al., Fujii, and Winkelman whether taken individually or in combination.

Dependent Claims

Claims 10 through 13 depend either directly or indirectly from Claim 8 and are allowable by virtue of their dependency and in their own right for further defining Applicant's invention. Individual consideration of the dependent claims is respectfully requested.

Closing Comments

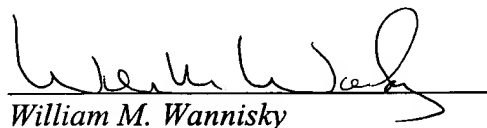
It is respectfully submitted that the pending claims are allowable over the art of record and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

This Amendment could not have been presented earlier in the prosecution, inasmuch as it was earnestly believed that the claims heretofore on file were in condition for allowance. No new claims are presented herein. it is believed that the Examiner's familiarity with the present application will allow full consideration hereof without the expenditure of undue time and effort.

Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William M. Wannisky', is written over a horizontal line.

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